



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 24, 2023

VIA ECF

The Honorable Loretta A. Preska
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Vitaly Fargesen and Igor Palatnik*, 21 Cr. 602 (LAP)

Dear Judge Preska:

The Government writes on behalf of the parties to respectfully request that the Court enter on consent the following pre-trial deadlines, which contemplate anticipated Rule 15 depositions in the United Arab Emirates¹ that are in the process of being scheduled:

September 13, 2023 – Deadline for parties to provide expert notice;

September 20, 2023 – Deadline to for parties to file motions *in limine* excepting those related to Rule 15 depositions;

September 25, 2023 – Deadline for the Government to produce 3500 material;

September 27, 2023 – Deadline for the parties to file proposed *voir dire* questions and requests to charge with the Court, and for the Government to produce, subject to good-faith amendment and supplementation, a preliminary witness list;

October 4, 2023 – Deadline for: (1) the Government to produce, subject to good-faith amendment and supplementation, a preliminary set of exhibits and exhibit list; (2) the defense to produce, subject to good-faith amendment and supplementation, a preliminary witness list;

October 11, 2023 – Deadline for the defense to produce, subject to good-faith amendment and supplementation, a preliminary set of exhibits and exhibit list;

October 15, 2023 – Deadline for the defense to produce Rule 26.2 materials.

¹ The parties have separately agreed to exchange any non-impeachment exhibits they anticipate using during the depositions at least three business days before each scheduled deposition. Consequently, the parties have further agreed that the parties need not exchange witness lists, 3500 material, or impeachment material in connection with the scheduled depositions.

The parties and the witnesses subject to Rule 15 depositions have confirmed their ability to appear for the videoconference depositions in the United Arab Emirates on September 20, October 2, October 3, and October 6, 2023. The Government is in the process of confirming that personnel in the U.A.E. will be able to facilitate the technical aspects of the videoconferencing technology on these dates. Given that the dates of the upcoming Rule 15 depositions are likely to occur no later than October 6, 2023, the Government further requests that the Court order the parties to file any motions *in limine* related to those depositions at least three business days after the last-scheduled deposition, and any oppositions one week thereafter.

Accordingly, and in the interests of facilitating the parties' preparations for trial, the Government respectfully requests that the Court endorse this letter and enter the aforementioned deadlines.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 
Sarah Mortazavi
Alex Rossmiller
Andrew Thomas
Assistant United States Attorneys
(212) 637-2520/2415/2106

Cc: All defense counsel (via ECF)

The above schedule is approved.

SO ORDERED.


8/25/2023